

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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UNITED STATES OF AMERICA, )  
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                                  )  
Plaintiff,                   )  
                                  )  
                                  )  
v.                             )                                   **No. 12-20099-STA**  
                                  )  
                                  )  
RICHARD GLEASON,           )  
                                  )  
                                  )  
Defendant.                   )

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

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Before the Court is the United States Magistrate Judge' Report and Recommendation that Defendant Richard Gleason's Motion to Suppress be granted (D.E. # 50) filed on February 28, 2013. Objections to the Report and Recommendation were due within fourteen (14) days of the entry of the Report, making the objections due no later than March 18, 2013.<sup>1</sup> Neither party has filed objections within the time permitted.

Pursuant to 28 U.S.C. § 636, the Court may refer a motion to suppress in a criminal matter to a magistrate judge for the purpose of conducting an evidentiary hearing and to submit proposed findings of fact and recommendations for the disposition of the motion.<sup>2</sup> The Court must "make a *de novo* determination of those portions of the report or specific proposed findings or

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<sup>1</sup> See Fed. R. Crim. P. 45(c) ("Whenever a party must or may act within a specified period after service and service is made [via ECF system], 3 days are added after the period would otherwise expire under subdivision (a).").

<sup>2</sup> 28 U.S.C. § 636(b)(1)(B).

recommendations to which objection is made.”<sup>3</sup> After reviewing the evidence, the Court is free to accept, reject, or modify the proposed findings or recommendations of the magistrate judge.<sup>4</sup> Moreover, the Court need not review, under a *de novo* or any other standard, those aspects of the report and recommendation to which no specific objection is made.<sup>5</sup> Rather, the Court may adopt the findings and rulings of the magistrate judge to which no specific objection is filed.<sup>6</sup>

Having found that neither party has raised an objection to the Magistrate Judge’s Report and Recommendation, the Court hereby **ADOPTS** the Magistrate Judge’s Report. Defendant’s Sealed Motion to Suppress (D.E. # 28) is **GRANTED**.

**IT IS SO ORDERED.**

s/ **S. Thomas Anderson**  
S. THOMAS ANDERSON  
UNITED STATES DISTRICT JUDGE

Date: March 19, 2013

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<sup>3</sup> § 636(b)(1)(C).

<sup>4</sup> § 636(b)(1)(C).

<sup>5</sup> *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

<sup>6</sup> *Id.* at 151.